

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS COMMENDADOR-BAEZ and
ABEL SANCHEZ-GUTIERREZ,

Defendants.

)
)
)
)
)
)
)
)
)
)

8:16CR122

ORDER

This matter is before the court on the motion to continue by defendant Abel Sanchez-Gutierrez (Sanchez-Gutierrez) (Filing No. 33). Sanchez-Gutierrez seeks a continuance of the trial scheduled for June 6, 2016. Upon consideration, the motion will be granted. **Trial will be continued as to both defendants.**

IT IS ORDERED:

1. Sanchez-Gutierrez's motion to continue trial (Filing No. 33) is granted.
2. Trial of this matter **as to both defendants** is re-scheduled for **July 5, 2016**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 31, 2016, and July 5, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 31st day of May, 2016.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge